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Security Council

Sixty-fourth year

Provisional

6216th meeting

Wednesday, 11 November 2009, 10 a.m.

New York

President:	Mr. Spindelegger	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Zhang Yesui
	Costa Rica	Mr. Ugalde
	Croatia	Mr. Jandroković
	France	Mr. Araud
	Japan	Mr. Miyajima
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Turkey	Mr. Çorman
	Uganda	Mr. Lukwiya
	United Kingdom of Great Britain and Northern Ireland	Baroness Taylor
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Protection of civilians in armed conflict

Letter dated 2 November 2009 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (S/2009/567)

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09-60204 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Letter dated 2 November 2009 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (S/2009/567)

The President: I wish to warmly welcome the Secretary-General, the Minister for Foreign Affairs of Croatia and the other ministers participating in today's Security Council meeting. Their presence is an affirmation of the importance of the subject matter to be discussed.

I propose, with the consent of the Council, to invite the representatives of those countries inscribed on the list of speakers to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the following countries took the seats reserved for them at the side of the Council Chamber: Afghanistan, Argentina, Australia, Azerbaijan, Belgium, Brazil, Canada, Colombia, Czech Republic, Denmark, Egypt, Estonia, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Israel, Italy, Kenya, Liechtenstein, Luxembourg, Republic of Moldova, Morocco, Netherlands, Norway, Qatar, Republic of Korea, Saudi Arabia, Slovakia, Slovenia, South Africa, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, United Arab Emirates, United Republic of Tanzania, Uruguay, Bolivarian Republic of Venezuela and Zambia.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

It is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Kyung-wha Kang, Deputy High Commissioner for Human Rights.

It is so decided.

I should like to inform the Council that I have received a letter dated 10 November 2009 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2009/577 and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council which will be held on Wednesday, 11 November 2009, regarding the protection of civilians in armed conflict."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in this meeting, in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

I invite the Permanent Observer of Palestine to take the seat reserved for him at the side of the Council Chamber.

I should like to inform the Council that I have received a letter dated 10 November 2009 from the Permanent Representative of Austria to the United Nations, in which he requests that His Excellency Mr. Albrecht Freiherr von Boeselager, Minister for International Cooperation and Humanitarian Affairs of the Sovereign Military Order of Malta, be invited to participate in the consideration of the item, in accordance with rule 39 of the Council's provisional rules of procedure.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Albrecht Freiherr von Boeselager.

There being no objection, it is so decided.

I invite Mr. Von Boeselager to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is

meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/582, which contains the text of a draft resolution submitted by Austria, Azerbaijan, Belgium, Benin, Burkina Faso, Canada, Costa Rica, Croatia, Cyprus, the Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Mexico, the Netherlands, Norway, the Republic of Moldova, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America.

I should also like to draw the attention of members to document S/2009/567, which contains the text of a letter dated 2 November 2009 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

I should now like to make some introductory remarks.

Ten years ago, the Security Council took the unanimous decision to begin to address the protection of civilians in armed conflict in a systematic manner. Today, we are still facing tremendous challenges, and civilians, more than ever, have to pay the price of war. They have to flee their homes. They become victims of violence, armed attacks and rape. In armed conflicts all over the world, United Nations peacekeeping missions and humanitarian organizations do their utmost to alleviate the suffering of civilians, including women and children. But more needs to be done to improve the protection of civilians on the ground.

That is why, for Austria, the protection of civilians is a key priority. It is why we took the initiative to submit a draft resolution on the protection of civilians on the occasion of the tenth anniversary. This draft resolution aims to address existing gaps in the protection work of the United Nations and sets out concrete measures to improve the protection of civilians on the ground.

I would like to take this opportunity to thank all members of the Council for their constructive work in recent weeks. We also highly commend the Secretary-General for his latest report on the protection of civilians in armed conflict (S/2009/277).

We, the international community, have to do better. We need to live up to our shared responsibility to effectively respond to situations in which the safety and security of civilians are in danger.

No conflict justifies breaches of international humanitarian law. No conflict justifies the refusal of access for humanitarian workers to civilians in need. No conflict justifies impunity for those who have committed serious crimes against civilians.

The Security Council has a key role to play. The Council has a broad range of tools at its disposal to ensure compliance by all parties with their obligations under international law to protect civilians, to facilitate access for humanitarian aid and to ensure accountability for serious crimes against civilians.

Today, the protection of civilians is at the core of United Nations peacekeeping. Since 1999, the Council has mandated United Nations peacekeeping missions to protect civilians from attacks. The presence of United Nations peacekeepers generates global expectations, as well as local aspirations to protect vulnerable communities.

However, we still do not have a common understanding of what peacekeepers can and should do in the implementation of such protection mandates. We believe that an operational concept, mission-wide protection strategies and improved predeployment training on the protection of civilians will help to close this gap between Security Council mandates and their implementation. It will also contribute to ensuring the credibility of United Nations peacekeeping missions. There is a need for clear and achievable mandates based on accurate and reliable information and an assessment of threats to civilians and peacekeepers on the ground. It also requires an ongoing dialogue with troop- and police-contributing countries throughout the process.

Today's debate and the draft resolution before us provide an important opportunity to take stock of the progress made so far and to send a clear signal of our commitment to the protection of civilians. I hope that discussions will provide further guidance as we fulfil our obligation to better protect those in need.

In accordance with the understanding reached earlier among members, the Security Council will take action on the draft resolution (S/2009/582) prior to hearing statements from the participants in today's

meeting. Accordingly, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam.

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1894 (2009).

I now invite the Secretary-General, His Excellency Mr. Ban Ki-moon, to take the floor.

The Secretary-General: I thank the Government of Austria for convening this ministerial debate to mark the tenth anniversary of the Security Council's engagement on the protection of civilians in armed conflict. I commend Foreign Minister Michael Spindelegger for his leadership.

Over the past decade, this issue has come to occupy a prominent place on the Council's agenda. We see this in the biannual open debates; we see it in the thematic resolutions on the subject; and we see it in the Council's adoption of an aide-memoire and convening of an informal expert group. Most importantly, the protection of civilians increasingly permeates the country-specific deliberations and decisions of the Council. This has raised global awareness and advanced what is, after all, a key part of this Organization's cardinal mission — saving and protecting people from the horrors of armed conflict.

Not so long ago, many Member States questioned whether internal armed conflict posed a threat to international peace and security. Today, the regional dimensions and destabilizing effects of internal conflicts have been firmly recognized. Not so long ago, Member States questioned whether the United Nations Charter contemplated the protection of civilians as a legitimate subject of a peacekeeping mandate. Today, the Council readily demonstrates its willingness to address the protection needs of civilians in situations on its agenda.

This is a welcome evolution. However, even conflicts that are not perceived by all Council members to have implications for international peace and security could have a dramatic impact on civilians and therefore warrant Council attention. We must find ways to better address these situations as well.

The past 10 years have seen some major conflicts come to an end, but others have persisted and new ones have broken out. In old and new alike, we see appalling levels of human suffering and a fundamental failure of the parties involved to respect their obligations to protect civilians. This failure demands a reinvigorated commitment by the Security Council, Member States and the United Nation to the principles of international humanitarian law, human rights law and refugee law. It requires the Council to guard against the perception that only some situations are of concern. And in practical terms, it requires us to meet five core challenges.

First, we need to strengthen compliance by all parties to conflict with international law, particularly in the conduct of hostilities. This means ensuring access to conflict zones and reporting on the way conflicts are conducted. That in turn means making better use of existing instruments and machinery. But the Council may also wish to consider ways of improving what we do and how widely we do it. At the moment, under mandates from this Council, we are able to examine and report on the impact of armed conflict on children and, soon, on sexual violence perpetrated against women wherever there is conflict and without additional procedural hurdle. This has been a welcome step. I now welcome members' thoughts on what we have learned from these mechanisms that could be applied to the broader task of protecting civilians.

Secondly, we need more consistent engagement with non-State armed groups in order to ensure their compliance and our safe access to populations in need. Member States must accept the fundamental necessity of such engagement.

Thirdly, peacekeeping missions must be enabled to discharge their protection mandates more effectively. Protection mandates place very distinct and enhanced responsibilities on peacekeepers and reshape the requirements of our missions. Most obviously, protection mandates can involve not only the static protection of a line separating forces, but the active policing of territory. This requires improved operational guidance, training, equipment and appropriate resources, especially those that allow our forces mobility.

In this connection, I welcome the recently completed independent study on the implementation of protection mandates by United Nations peacekeeping missions commissioned by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations. I call on the Council and Member States, including troop- and police-contributing countries, in cooperation with the Secretariat, to consider the recommendations for implementation.

Fourthly, humanitarian actors must have better and safer access to civilians in need of assistance. The Council must be prepared to respond when such access is not forthcoming.

Last but not least, we must enhance accountability for individuals who commit war crimes, crimes against humanity, genocide and other serious violations of international human rights law. There is a need for consistency and perseverance in this regard. Through criminal prosecutions and other resolute action, we must hold to account those who violate the law — law, I should stress, that we have worked so hard to put in place.

As we mark the tenth anniversary of the Security Council's consideration of the protection of civilians, let us not dwell too long on what has been achieved, significant though that is. We must focus on the future and on how to ensure more effective protection of civilians in armed conflict.

The President: I thank the Secretary-General for his statement.

I now give the floor to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

Mr. Holmes: Allow me to express sincere appreciation to you, Sir, and to the Government of Austria for convening this high-level open debate, as well as for your efforts leading to the adoption today of resolution 1894 (2009), which marks a further important advance in the Council's commitment to protecting civilians.

When the Council first took up the protection of civilians as a thematic issue in February 1999, against the backdrop of widespread atrocities and displacement in Angola, Kosovo, Sierra Leone and elsewhere, it rightly viewed the situation in very bleak terms. The presidential statement of 12 February 1999 (S/PRST/1999/6), the first on this topic, spoke of the Council's distress that civilians accounted for the vast majority of casualties in conflicts. It condemned the targeting of civilians, demanded an end to such violations and affirmed the need to bring to justice those who violate international humanitarian and human rights law. It expressed concern also over the widening gap between the rules of international humanitarian law and their application.

Significant progress has since been made in seeking enhanced protection for civilians and in developing further the normative framework. But can we say with conviction, as we meet today, that those affected by conflict enjoy a significantly greater and more tangible degree of protection than 10 years ago? Have we narrowed the gap between the rules of international humanitarian and human rights law and their application? Have we narrowed the gap between rhetoric and reality?

Even an optimistic assessment suggests that we still have far to go, first, in closing the gap between the rhetoric of internationally agreed laws for the protection of civilians and the reality of widespread non-compliance with those laws. From Afghanistan to Chad to the Democratic Republic of the Congo, the occupied Palestinian territories, Somalia, the Sudan, Yemen and beyond, the lack of compliance with the law by parties to conflict, both State and non-State, results in thousands of civilians killed or injured every month and thousands more forced from their homes into situations of dependency, destitution and yet further violations, including rape and other forms of sexual violence.

As the Secretary-General has made clear, access for humanitarians is vital to the protection of civilians in armed conflict. One issue critical to enhancing compliance and access is humanitarian engagement with non-State armed groups. Some Member States remain concerned that engagement affords those groups an unwelcome degree of recognition. Yet the reality is that armed groups account for one or more of the parties in virtually every conflict in which we operate today, however much we may condemn their aims or their often bloody acts, which take many civilian lives. For the effectiveness and safety of humanitarian operations — and we have seen some horrific attacks on humanitarians in recent weeks and months — and for the sake of access to those in need, we must have flexibility to engage these groups, to

promote their compliance with international humanitarian law and to seek their understanding of our neutrality, independence and impartiality.

We have far to go too in closing the gap between the mandates of peacekeeping missions which include the protection of civilians and the reality of the shortcomings identified in the independent study, jointly commissioned by the Office for the Coordination of Humanitarian Affairs OCHA) and the Department of Peacekeeping Operations (DPKO), which was released last Friday. I should make clear that this part of my statement includes input from the Department of Peacekeeping Operations. Under-Secretary-General Le Roy and I agreed on this in order to limit the number of speakers. The OCHA-DPKO study sheds valuable light on where we must focus our efforts in improving the implementation of protection mandates by United Nations peacekeeping missions.

First, we must address the uncertainty as to what missions, and individual actors within missions, should actually do to protect civilians and, critically, how they should do it. We should be clear that, even when they have protection of civilians mandates under Chapter VII of the Charter, United Nations peacekeeping operations continue to be guided by the basic principles of peacekeeping. They are not peace-enforcement operations. DPKO, in consultation with troop and police contributors and other stakeholders, is developing an operational concept to clarify what protection means in the peacekeeping context, which will provide the basis for further guidance. It will ensure that Member States, including troop and police contributors, the Secretariat and peacekeeping missions themselves have the same understanding of the expectations and limitations of protection mandates. Support from Member States in the Council and the General Assembly in developing the concept and this guidance will be critical.

Secondly, all missions should develop protection-of-civilians strategies, in consultation with humanitarian and human rights actors, and based on a realistic assessment of the threats and risks to the population. Guidance from Headquarters on developing such strategies will be important, and development of the operational concept is an important step in that direction. Such protection strategies must be based on the understanding that protection mandates are not limited to the protection of civilians under imminent threat of physical violence, but involve a much broader range of activities including, for example, facilitating humanitarian access, the return of refugees and displaced persons, human rights monitoring, child protection and addressing sexual violence. Their implementation is not a task exclusively for the military or police personnel of a mission, or just for the civilian components of missions and humanitarian actors. Rather, it is an overarching responsibility for the mission, whose leadership needs to finds ways to bring together the relevant mandates, capacities and expertise of those different actors.

Thirdly, leadership is crucial, and Special Representatives of the Secretary-General and the senior mission leadership must ensure protection is considered a priority across the whole mission. They must be accountable for developing and implementing protection strategies and reporting on their results. But if they are to do this effectively, they too must receive the requisite guidance, training and resources before they assume their responsibilities.

Fourthly, we must ensure, through better analysis and reporting, that the Council itself is candidly informed of the challenges missions face and the opportunities that exist to protect civilians. Only then can the Council take informed and supportive action.

Fifthly, we must ensure the requisite political commitment to the mission by the Council and by the parties on the ground, and also by troop and police contributors, who must have a firm understanding of the critical role they play in protecting civilians.

DPKO and the Department of Field Support will work closely with contributing countries and other stakeholders to ensure that protection of civilians becomes integral to predeployment training, as part of a broader effort to gather lessons learned on the implementation of protection mandates, as requested by the Special Committee on Peacekeeping Operations earlier this year.

We must also keep in mind the necessity of strengthening the host State's capacity to protect its population. Peacekeeping can assist countries in rebuilding in the aftermath of a conflict and in protecting civilians while doing so. But it cannot substitute for the State, which bears the primary responsibility for the safety and well-being of its own citizens.

While we must guard against exaggerated expectations of protection of all civilians wherever missions are deployed, as the study itself makes clear, we can nevertheless reasonably expect greater consistency and success in this core function of peacekeeping than has been the case to date. We are committed to working jointly to take forward the study's recommendations, in consultation with all relevant actors. I trust that we can count on the full cooperation and support of the Council and Member States in doing so. I am delighted that important provisions of resolution 1894 (2009) already give us a head start in this respect.

Finally, I believe that there is a gap between rhetoric and reality as it relates to the consistency with which the Council itself pursues its stated commitment to the protection of civilians. For example, targeted sanctions are a critical tool for seeking compliance with the law. They have been imposed against those responsible for humanitarian and human rights law violations in Côte d'Ivoire and in the Sudan. But in the Democratic Republic of the Congo, only those committing violations involving the targeting of children or women or obstructing the access to or the distribution of humanitarian assistance are subject to such measures. In Somalia, only those obstructing humanitarian assistance are targeted.

The Council needs a consistent and comprehensive approach to these accountability issues. The stakes for the civilians concerned are simply too high, and the allegations of selectivity or double standards too easily made otherwise. The systematic application of the aide-memoire (see S/PRST/2009/1, annex), as a checklist against which to identify protection concerns and appropriate responses in any given context, can help here, as can the informal Expert Group.

Others have characterized the gap between the rhetoric and the reality of the protection of civilians as that between idealism and realism. But the effective application of international humanitarian and human rights law is not some ideal notion. On the contrary, it is an achievable reality. What it requires, above all else, is that States and other parties to conflict give top priority to the protection of civilians, that they promote, implement and enforce the practical steps required to apply the law, and that the Security Council not only encourage them to do so but also call them to account when they do not, on the basis of the facts, not political convenience. This tenth anniversary of the protection of civilians is as good a time as any to make a fresh start.

The President: I thank Mr. Holmes for his interesting briefing. I now give the floor to Ms. Kyung-wha Kang, Deputy High Commissioner for Human Rights.

Ms. Kyung-wha Kang: I have the honour to deliver the following statement on behalf of the High Commissioner for Human Rights, Navanethem Pillay.

The particular vulnerability of human rights in situations of armed conflict means that the daily work of the Office of the High Commissioner includes a significant focus on the full range of situations under the Council's review. For this reason, and for more than a decade, successive High Commissioners have been called to brief the Council, and we are pleased to continue this tradition of collaboration in our common cause of protecting civilians exposed to the horrors of armed conflict.

The constitutional responsibility of the Council under the Charter for the maintenance of international peace and security is one of the greatest trusts of humankind. By keeping the protection of civilians in armed conflict on its agenda during the past ten years, the Council has significantly advanced our understanding of the crucial importance of the protection of civilians and human rights to the cause of international peace and security at the normative and policy level. Translating that policy into more effective action on the ground is the challenge that we must now confront.

As the report of the Secretary-General (S/2009/277) points out, this will mean enhancing compliance with international law, bolstering protection through more effective and better resourced United Nations missions, securing humanitarian access and pursuing accountability for violations. It will also mean seeking creative solutions to the political obstacles that have at times kept critical situations off the Council's formal agenda and to those obstacles that have stalled action or blocked the Council's protective response all together. And it will mean moving beyond narrow notions of what constitutes an imminent threat.

If the cause of protection is to advance in the next ten years, a higher level of political will must be mobilized to take timely and effective action to prevent

atrocities, protect the vulnerable, hold perpetrators to account and ensure redress for victims.

It is now axiomatic that the resolution of conflict and the maintenance of peace and security will be neither achieved nor sustained without due attention being paid to redressing grievances, ending impunity and protecting the human rights of civilians. But this requires greater clarity in our concepts and expeditiousness in our action. To be clear, when we say protection, we are talking about protection of the human rights of individuals as contained in international law, including international human rights law, international humanitarian law, international refugee law and international criminal law.

The authority of international law and the obligations of duty bearers — among all the parties to conflict — cannot be replaced by more amorphous notions of protection, or by less obligatory notions of charitable action. To be sure, the politics of conflict cannot be ignored. But where conflict entails the abuse of human rights, the international community must act to identify the facts and then to apply the law.

But law without enforcement is of little moment to would-be perpetrators. To be effective in the protection of civilians, the Council must consistently work to ensure accountability for perpetrators of war crimes, crimes against humanity and other gross violations of human rights. The establishment of tribunals for the former Yugoslavia, Rwanda and elsewhere, as well as the referral of specific cases to the International Criminal Court (ICC), has helped to send an important signal that, even in the fog of war, impunity is not assured. The dispatch of credible, independent, law-based commissions of inquiry that are focused on accountability and which report their findings publicly has proven to be an important catalyst in the Council's efforts to combat impunity, and more use could be made of such mechanisms.

The corrosive effect of impunity on both human rights and peace is evident in the case of the occupied Palestinian territory, as documented in the report of the United Nations Fact-Finding Mission (A/64/640) headed by the distinguished international jurist Richard Goldstone, which has been transmitted to this Council. The report lays out in detail the nature and scope of violations of international human rights and humanitarian law perpetrated against the civilian population of the occupied Palestinian territory, where, in Gaza earlier this year, Israeli forces killed well over one thousand civilians and attacked homes, schools, mosques, food and water installations and United Nations facilities. The report also documents the indiscriminate launching of rockets and mortars into southern Israel by armed Palestinian groups in Gaza, killing Israeli civilians and causing terror and trauma among communities in disregard of international humanitarian and human rights norms.

Collective punishment, as evidenced by the crippling Israeli blockade and the devastating military offensive, is a violation of international human rights and humanitarian law, as are the forcible evictions of Arabs, the demolition of homes and the expropriation of occupied East Jerusalem lands for Israeli settlements.

Until meaningful steps are taken to end impunity for these violations and to assert the applicability of international law, peace and security will remain elusive for all the people of the region. The Council is urged to embrace the recommendations in the report, so as to secure accountability for all perpetrators and to fully integrate human rights guarantees into peacemaking efforts.

The situation in the eastern Democratic Republic of Congo is a horrifying reminder of the depths to which inhumanity can spiral if left unchecked. Military operations against residual armed groups, such as the Lord's Resistance Army and the Forces Démocratiques de Libération du Rwanda, have led to massive displacement, and several hundreds of civilians have been killed this year alone. Sexual violence, including rape, has increased drastically. Support provided by the United Nations Organization Mission in the Democratic Republic of the Congo to the Congolese Army in the context of these operations needs to be reviewed whenever there is a risk of violations of international humanitarian law and human rights law. This situation is further compounded by concerns that well-known human rights violators, including an individual indicted by the ICC, continue to occupy high-level command positions within the Congolese army. Recent public statements by senior Government officials demonstrate a lack of political will to investigate high ranking officials and raise doubts regarding the zero-tolerance policy against sexual violence proclaimed by the President. Under these circumstances, the sustained and unequivocal support

of the Council to the fight against impunity is urgently needed.

Efforts to bring effective protection to the long-suffering people of Darfur have occupied countless hours of this Council's work over many years now, but without satisfactory progress towards a sustainable solution to the conflict. The Council has again emphasized the protection of civilians as a priority in renewing the mandate of the African Union-United Nations Hybrid Operation in Darfur. In 2005, the Office of the High Commissioner supported the International Commission of Inquiry on Darfur, which concluded that Government forces and militias were responsible for serious violations of international human rights and humanitarian law, and which led to the referral of the situation by this Council to the International Criminal Court. But justice remains elusive and violations continue. Darfur illustrates that, even with robust mandates, there are political, structural, operational and resource issues that limit the effectiveness of United Nations peacekeeping missions. The situation also necessitates the employment of a broader human rights approach with a focus on the entire spectrum of rights beyond physical protection.

The conflict in Afghanistan has repeatedly caught civilians in the crossfire. The recent attack on a United Nations guesthouse in Kabul, killing five United Nations staff members and injuring numerous others, is a stark reminder that United Nations personnel continue to put their lives at risk, while protecting war-affected civilians and working to build an environment that is conducive to respect for human rights. Civilian casualties continue to mount, with hundreds killed every year by armed anti-Government elements, Government forces and international forces carrying out both air strikes and ground assaults.

During the first 10 months of 2009, the United Nations Mission of Assistance in Afghanistan recorded 2,021 civilian deaths, compared with 1,838 for the same period in 2008 and 1,275 in 2007. The intensifying conflict has had a disastrous impact on the enjoyment by many Afghans of basic rights to health, food, shelter, a livelihood and education.

In addition, there continues to be an urgent need to improve overall accountability procedures, including through criminal prosecution when warranted, as well as redress for victims, while bringing the legal framework governing conflict-related detention by all who take and hold detainees into line with human rights law. The failure to pursue a credible transitional justice strategy, including holding to account those responsible for the gravest crimes over more than three decades of war and the resulting climate of impunity, is a significant factor in the challenging political context and growing insecurity that now envelop Afghanistan.

For 10 years now, the Council has worked under this thematic track to build up a framework for the protection of civilians in armed conflict. That work has better equipped the Council, and all of us, to address that vital issue. Institutionally, the Council should mandate arrangements on the ground to ensure an enhanced coherence, rather than fragmentation, and to make full use of civilian capacities, with robust human rights components in United Nations peace missions tasked to provide effective protection to the full range of vulnerable persons and groups in conflict and post-conflict countries.

The early deployment of human rights officers, the rapid fielding of human rights investigations and the organization of human rights assessments have proved to be valuable interventions, allowing us to identify trends, threats and risks, to document abuse and to hear the concerns of victims and the vulnerable. At the same time, the disparity between mandated responsibilities, on the one hand, and inadequate resources, on the other, must be addressed if the expectations of the international community and the demands of victims and the vulnerable for effective protection are to be met.

However, as this brief review of four countries on the Council's agenda reveals, the most important gap remains between policy and practice. Closing that gap will require a greater commitment by all to the explicit application of international law and to its enforcement. It will require more political will and less political exceptionalism. All must be held to a single standard. It will require enhanced resources and their more rapid deployment and an unwavering focus on the three mutually reinforcing imperatives of accountability for perpetrators, redress for victims and protection for the vulnerable. In this challenging endeavour, we — the High Commissioner and her Office — stand ready to assist.

The President: In accordance with the understanding reached among Council members, I wish

to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I shall now give the floor to members of the Council.

I invite the Minister for Foreign Affairs and European Integration of Croatia, His Excellency Mr. Gordan Jandroković, to take the floor.

Mr. Jandroković (Croatia): At the outset, allow me to thank you, Mr. President, and the Austrian presidency, for taking the initiative to re-engage this body on the vitally important issue of the protection of civilians in armed conflict, which, in our view, often strikes at the core of the Council's primary mandate regarding threats to international peace and stability.

I would also like to commend the Austrian presidency on his hard work in preparing the draft resolution on this issue, which we have just adopted. My thanks also go to Secretary-General Ban Ki-moon, for his frank and poignant remarks. His presence here today shows the clear commitment of the United Nation to placing this issue at the highest possible level.

It is evident that the nature of contemporary conflict has changed in the modern era. Nowadays, in the conduct of armed conflict, civilians more often than not become the targets of armed attacks and atrocities, including murder, deportation and ethnic cleansing, as well as rape and sexual violence. This is not only as a consequence of war but as a method and means of conducting war. Such atrocities were once considered as exceptions in the conduct of armed conflict, while today they have frequently become the rule.

The defining moment that forced the international community to conclude that a more decisive and comprehensive approach and action were required came in the mid-1990s with the genocides committed in Rwanda and Bosnia and Herzegovina. Our own experience of the early 1990s showed us that there still existed an immense gap between the theoretical implementation of international humanitarian law and practice on the ground.

It is especially important to note that the majority of atrocities committed during the war in Croatia were perpetrated before the arrival of international peacekeeping forces. For that reason, we hope that the resolution just adopted will strengthen the resolve of the international community to react quickly and decisively in order to minimize actual threats to civilians.

As a response to the atrocities committed during the 1990s, The Security Council took an important decision in 1999 to add to the mandate of the peacekeeping operation in Sierra Leone a direct reference to the protection of civilians — including through the use of force — as a mandated task of that peacekeeping operation. The introduction of the protection of civilian provisions became increasingly important in later peacekeeping mandates, where the concept became the central part of the mandate of the peacekeeping operation in the Democratic Republic of the Congo, and has since been introduced into a plethora of other United Nations-mandated peacekeeping missions.

I would like to add that while a peacekeeping mission may be able to help stop violations of international humanitarian law on the ground, for any long term and sustainable improvement of a conflict situation there needs to be solid cooperation between peacekeeping and other international personnel and the authorities and populace of the host country. Such personnel work closely with civilians on the ground, and a deterioration of relations between them may have an indeterminate yet detrimental effect on overall political efforts to establish and sustain peace and prosperity.

This has led the United Nations to develop a more integrated or multidimensional approach to peacekeeping, which is well reflected in the Department of Peacekeeping Operations' New Horizon non-paper on the protection of civilians. Here the emphasis is placed not only on issues of immediate security or military concern but also on long-term issues, such as the protection of civilians, the strengthening of civil society and security sector reform, as well as on economic revitalization and development.

Development is especially important in this context since, without assisting a host country's return to self-sustainability, recourse to violence can and quite often does occur, as has been demonstrated by

returning peacekeeping operations to countries in West Africa, Timor Leste and Haiti.

The war of independence in Croatia during the early 1990s produced untold consequences on a great many civilians in my country. Apart from the resulting death and destruction, I would like to stress that Croatia, a nation of 4.5 million people, was nearly overwhelmed with over 850,000 displaced persons and refugees, more than half of whom came from neighbouring Bosnia and Herzegovina. Although this was an immense challenge, we managed to ensure the provision of all necessary facilities for this population, as well as the maintenance of the normal functioning of all institutions.

The terrible losses suffered in Croatia as a consequence of the conflict spurred our leaders to explore new avenues for seeking internationally-agreed and legally binding redress for the crimes committed, without prejudice, through the establishment of an ad hoc tribunal. This resulted in the establishment of the International Criminal Tribunal for the Former Yugoslavia. In advocating for a tribunal, Croatia did not lose sight of the fact that the duty to protect civilians by implementing international humanitarian law lies primarily with the parties to the conflict and, as such, it emphasized the vital principle that judicial processes individualize criminal responsibility.

For its part, by establishing the ad hoc Criminal Tribunals for the Former Yugoslavia and Rwanda, the Security Council opened a new chapter in international law, leading to the establishment of the International Criminal Court and a number of other hybrid tribunals. All these have proved to be valuable tools in combating impunity as a corrosive force that can undermine chances for reconciliation and the building of lasting peace.

Over the years, the Security Council has acted in numerous other ways to enhance the protection of civilians agenda. The Council has promoted the use of mediation in order to help prevent the outbreak of armed conflict in crisis situations. It has used its influence on parties to armed conflict to observe standards of protection, including by imposing targeted measures against recalcitrant parties in cases of violations of international humanitarian and human rights law. And it has now even referred specific situations to the International Criminal Court.

The sixtieth anniversary of the core treaties of international humanitarian law — the Geneva Conventions of 1949 and their subsequent protocols — likewise provide us with an opportunity to look back and examine our own roles in implementing the central tenets of these treaties. They also allow us to analyse the degree and level of success to which the various international actors have managed these inherent responsibilities.

In spite of numerous positive developments in the Council, Croatia remains extremely concerned about the severity and prevalence of constraints on humanitarian access in the field, as well as the frequency and gravity of attacks on humanitarian personnel, bearing in mind the impact they also has on civilians, especially women and children. The Council has a responsibility to respond to situations of armed conflict where humanitarian assistance is being deliberately obstructed, not merely by calling on the parties involved to allow unimpeded passage to relief, but also by imposing targeted measures in grave instances of the wilful impediment of such supplies. Moreover, the concept of the responsibility to protect, as reflected in the 2005 World Summit Outcome Document (General Assembly resolution 60/1), represents an integral part of the protection of civilians agenda.

As world leaders have acknowledged, individual States are responsible for protecting their populations from the aforementioned atrocities. At the same time, the international community also has a responsibility to help protect populations and to take collective action through the Security Council if and when national authorities manifestly fail to protect their people from such atrocities.

We would also like to stress the need for greater emphasis on the issue of mines and explosive remnants of war. Croatia has much experience in the technical side of mine clearance, as well as in the rehabilitation of mine victims. We need to remember that these silent killers kill and maim long after the end of a conflict, and at that point the victims tend to be civilians rather than military personnel.

The new resolution 1894 (2009) joins a number of resolutions that the Council has adopted in the past two years on civilian-related issues, for which I would like once again to thank my friend and colleague Michael Spindelegger and the Austrian delegation.

While we agree that the Council's involvement in the protection of civilians as a thematic issue has helped create a much-needed normative framework for the issue, this progress has not been as evident in improvements of the actual situation on the ground for civilians in armed conflict.

Croatia firmly believes that the Council's new resolution offers a valuable opportunity for that improvement to take place, to the benefit of all civilians caught in armed conflict.

The President: I now invite the Right Honourable Baroness Taylor, Minister for International Defence and Security of the United Kingdom of Great Britain and Northern Ireland to take the floor.

Baroness Taylor (United Kingdom): Let me begin by thanking you, Mr. President, for convening this meeting. We are extremely grateful to you and the Austrian delegation for all your hard work in promoting an agenda item to which we attach great importance. I would also like to thank the Secretary-General for his words and the Under-Secretary-General for his informative and thought-provoking briefing. We are also very pleased to see and hear from the Deputy High Commissioner.

I would like to associate the United Kingdom with the statement that will be delivered by the Permanent Representative of Sweden on behalf of the European Union.

We share many of the concerns that have been raised in today's briefing. Given the perilous situations in which many civilian populations still find themselves despite the efforts of the Security Council over a period of 10 years, it is imperative that the protection of civilians remain at the core of the Council's work. We welcome the prominence given in resolution 1894 (2009), just adopted, to the issue of humanitarian access.

We also agree with the Secretary-General that we can do more to minimize violations of international humanitarian law. The Council should be ready to address flagrant and widespread violations committed against civilians, even when they take place in situations of internal armed conflict. Protecting civilians requires a holistic approach that will sometimes stray into areas that are sensitive for some Governments. We must be ready to face up to those challenges.

We would also like to see the Council show genuine readiness to engage in conflict prevention as well as resolution. As a Council, we often talk about the importance of prevention but only rarely are we able to achieve consensus on action. If we are to change that, we will need to increase our ability to receive and digest information, and, most importantly, our willingness to address threatening situations at a sufficiently early stage. As we have said before, the United Kingdom stands ready to do so.

Parties to an armed conflict bear the primary obligation under international law to protect civilians. However, where that obligation is not met or where national capacities are not adequate to provide protection, there is a clear role that United Nations peacekeeping missions can play, both in providing physical protection to civilian populations and in assisting the host Government to shoulder its own responsibilities.

My Government believes that protecting civilians is an important measure of the credibility of peacekeeping operations. It goes to the very heart of what people around the world admire and respect about the United Nations in action. We all owe a debt of gratitude to the peacekeepers who take on the vital role of protecting civilians, invariably in testing circumstances and often at considerable risk to their own safety.

We must ensure that we make realistic demands of peacekeeping missions, matched with sufficient resources, training and structures to successfully protect civilians. This is why the United Kingdom fully supports renewed efforts to improve the dialogue between the Secretariat, the Security Council and troop- and police-contributing countries. The Special Committee on Peacekeeping Operations has a key role to play in this process.

There is much good field practice on which we can build. Peacekeepers in the Democratic Republic of the Congo are actively protecting civilians in very difficult circumstances, and combining civilian and military expertise in efforts to deliver a holistic approach. The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) has identified protection hotspots and, with the help of early warning and rapid-response mechanisms, has deployed mobile operating bases and joint protection teams.

These are innovative measures that are achieving results. MONUC, for example, proves the importance of a systematic and integrated approach to protection. It also underlines the need for comprehensive United Nations guidance to be made available to all who need it. Both measures would help leaders on the ground by framing and informing the challenging decisions they regularly face.

In this context, we look forward to digesting the findings and recommendations of a timely independent study on mandate implementation commissioned by the Department of Peacekeeping Operations (DPKO) and the Office for the Coordination of Humanitarian Affairs (OCHA). It will be important that the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs continue to work closely with one another in taking forward the recommendations contained in that study. In turn, we hope that the study will inform the considerations of the Committee of 34 and the Council's informal expert group on the protection of civilians.

This meeting today and the resolution that we have just adopted (resolution 1894 (2009)) are further steps towards developing a shared understanding on some of the more complex issues facing United Nations peacekeeping and peacebuilding. The United Kingdom looks forward to progressive discussions on these issues over the coming months and in the Special Committee on Peacekeeping Operations next year.

The President: I now call on the representative of Costa Rica.

Mr. Ugalde (Costa Rica) (*spoke in Spanish*): Mr. President, Costa Rica would like to thank you and your delegation for convening this debate on the protection of civilians and for your initiative that has led to the adoption of this new resolution (resolution 1894 (2009)) . We would also like to acknowledge the presence of the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and the Deputy High Commissioner for Human Rights and thank them for their presentations. I would also like to greet the distinguished ministers present here.

During its membership in the Security Council, Costa Rica has participated in the renewal of the comprehensive protection framework. In the past two years, we have contributed to the adoption of resolutions on children in armed conflict (resolution 1882 (2009)), sexual violence (resolution 1820 (2008)), women and peace and security (resolutions 1888 (2009) and 1889 (2009)), and also to the update of the aide-memoire. Today, we close the cycle by bringing this framework up to date through the adoption of the new resolution on the protection of civilians in armed conflict (resolution 1894 (2009)). In addition, Costa Rica has promoted the strengthening of protection mandates in several peacekeeping missions and has participated in the group of experts on the protection of civilians since its inception.

During the past 10 years, the protection of civilians has been recognized as a fundamental component of the United Nations mandate and as a central element for the legitimacy and credibility of peacekeeping operations. Despite the progress achieved so far, considerable problems remain, particularly in the areas of accountability and compliance with international law.

Costa Rica believes that the Security Council must ensure the protection of civilian populations and strongly and decisively respond to grave violations by using all available resources. The obligations to protect civilians apply to all situations and must be held to the same standards in all parts of the world, regardless of any political consideration.

Another important aspect of this mandate is accountability. The Council has the responsibility of closely monitoring situations where international standards are repeatedly violated. We believe that the Council has the obligation to obtain timely and detailed information, promote investigations when necessary, and ensure timely assistance to victims. We must work resolutely towards achieving agreements that guarantee victims' access to justice, including by referring situations to the International Criminal Court, bearing in mind its subsidiary role, when national authorities lack the capacity or political will to fulfil their obligations. The Council must implement actions to strengthen the security sector in all its missions, particularly those authorities charged with providing transitional justice, which is an indispensable tool for consolidating peace, recovering stability, combating impunity and ensuring respect for human rights.

The protection of civilians is a comprehensive and multidimensional concept and is the primary responsibility of States. Nevertheless, given the nature of today's conflicts, in order to achieve its objectives, this concept requires strategic partnerships among

States, the United Nations, regional organizations, non-governmental organizations and the affected populations themselves.

Efforts to integrate the establishment and renewal of mandates, mission planning, deployment and evaluation have not been sufficient so far to mainstream the protection of civilians as a cross-cutting pillar in the work of peacekeeping operations and the achievement of their objectives. In order to achieve effectiveness in the protection of civilians, it is necessary to work towards greater integration of efforts in peacekeeping operations and improve coordination between political, military and humanitarian actors.

The Security Council, mission personnel, humanitarian actors and the civilian population should clearly know what is expected of a mission, as well as their roles and responsibilities. The Council must be specifically aware of the resources that are needed for the effective implementation of its mandates. There must be a strategy for each mission that includes all of the mission's components. In order to fulfil their tasks, peacekeepers must have clear guidelines and proper training that derives from a general operational concept. In addition, to improve security, it is necessary to enhance interaction and promote a better flow of information among missions, humanitarian actors and local populations.

For its part, the Secretariat must systematically include in its country-specific reports relevant data and recommendations to protect the civilian population, reduce risks and threats and information on humanitarian access constraints.

In summary, stronger leadership and responsibility is necessary to ensure greater coherence, unity of purpose and a common vision, as well as to link the protection of civilians to the success of the political solution to any conflict.

I would like to make a brief statement on behalf of the Human Security Network, comprised of Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Slovenia, Switzerland and Thailand, and South Africa as an observer member:

This year marks the tenth anniversary of the first Security Council resolution containing specific provisions for the protection of civilians in armed conflict (resolution 1265 (1999)) and is also the tenth anniversary of our Network. We would like to express our satisfaction with a conclusion of the process that has led to the adoption of the new resolution (resolution 1894 (2009)).

We would like congratulate Austria for achieving this outcome. We are delighted with the progress of the Security Council has made in the thematic discussions and the positive developments in this area. We would like to reiterate our conviction that it is still necessary to work on five challenges listed in the report of the Secretary-General (S/2009/277). We believe that it is important to include the human security perspective in order to guarantee not only the physical protection but also the human dignity of civilians affected by armed conflict.

The President: I now call on the representative of France.

Mr. Araud (France) (*spoke in French*): I would like to thank Austria for the opportunity it has given us to address once more in this open debate format the matter of the protection of civilians in armed conflict. France supports the statement to be made by the representative of Sweden, who will speak on behalf of the European Union.

As we are celebrating the sixtieth anniversary of the Geneva Conventions and the tenth anniversary of the first resolution on the protection of civilians (resolution 1265 (1999)), I wish to reaffirm France's commitment in this field. The respect for international humanitarian law is non-negotiable. All parties to an armed conflict — States and non-State groups alike — must respect this law. Human rights must be ensured, whether we are talking about the Sudan, Gaza, Sri Lanka or even, more recently, in Guinea. The growing likelihood of conflicts occurring in densely populated areas and against adversaries who are not wearing uniforms raises additional issues with regard to the implementation of the Geneva Conventions. That is a matter that merits the attention of the international community.

I should like to confine my statement to two issues, namely, first, peacekeeping operations and, secondly, combating impunity.

Ensuring the protection of civilians, which is part of peacekeeping operations, is not limited to carrying out military tasks to protect against immediate threats of physical violence. It also encompasses greater and more complex responsibilities and tasks. It entails the

development of integrated operational directives as part of comprehensive strategic planning.

We must also define peacekeeping operations in concrete terms. France has contributed financially to a Secretariat study on that issue. The recommendations to emerge from that study should make it possible for the chain of actors involved in the protection of civilians — from the Security Council, at the time when mandates are set out, to stakeholders on the ground, at the time that instructions are conveyed to contingents — to have a common and unambiguous understanding of their obligations. In addition, the Security Council must ask for what is possible; but it must subsequently be certain of what has been done.

With regard to that last point, allow me to dwell a little on the Democratic Republic of the Congo — a major tragedy of our time that has cost the lives of hundreds of thousands, and perhaps even millions, of civilians. The United Nations operation in the Democratic Republic of the Congo is an illustration of all the challenges that we must face. Of course, we have made an attempt to respond by further defining the mission's mandate through resolution 1856 (2008). It is also true that we have enacted innovative initiatives on the ground, including joint protection teams and the establishment of an early warning system. However, as non-governmental organizations are repeatedly telling us today, we should ask ourselves about the reality on the ground.

Massacres and attacks against civilians are continuing at an alarming rate. Therefore, when it falls on us to renew the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo at the end of this year, the Security Council should demonstrate its determination to implement the resolution that we have just adopted on the protection of civilians (resolution 1894 (2009)). France will be especially vigilant in that regard.

That is what I wanted to say about peacekeeping operations. Let me now turn to combating impunity. In that connection, States must prosecute and punish those responsible for violations of human rights and international humanitarian law. That requires carrying out impartial and independent investigations. Should there be a failure to do so, international criminal justice systems must try the most serious crimes. France calls upon all States to accede to the Rome Statute and to cooperate with the International Criminal Court. Without real punishment there can be no prevention or discouragement of such crimes. It is for that reason that the Security Council must study the possibility of including sanctions for violations of international humanitarian law when it establishes or renews the mandates of sanctions committees, including the prevention of access to humanitarian assistance.

Lastly, I should like to take the opportunity provided by this meeting of the Security Council to commend the General Assembly's recent reaffirmation of the concept of the responsibility to protect. The Security Council has a special responsibility under that concept. It is not just a matter of intervening in serious crises to put an end to the most heinous crimes; it is also a matter of acting beforehand to prevent such crimes and of strengthening warning systems for situations where there is the potential for such crimes. In its action in the Council, France is always mindful of that responsibility. We will spare no effort to operationalize that concept.

The President: I now give the floor to the representative of the Russian Federation.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are very pleased to welcome you, Sir, as you preside over the Security Council at this important meeting. We would like to thank our Austrian partners for their initiative to once again address the issue of the protection of civilians in armed conflict. We would also like to express our gratitude for Austria's contribution to the drafting of the resolution that the Council has just adopted (resolution 1894 (2009)). We are also grateful for the statements made by Secretary-General Ban Ki-moon, Under-Secretary-General Holmes and Ms. Kyung-wha Kang, Deputy High Commissioner for Human Rights.

We support the resolution that the Council has adopted today, which is a comprehensive document that was the outcome of a thorough discussion and which encompasses legal, humanitarian and peacekeeping issues as they pertain to the issue under discussion.

The Russian Federation supports the peaceful settlement of disputes. There should be no room for violence and armed conflict in the twenty-first century. However, we live in the real world. In spite of efforts by the international community, conflicts continue to occur and to take the lives of many people, most of them civilians. It is therefore civilians who require our

special protection, first and foremost women, children, older persons and the humanitarian staff who assist them.

We are convinced that, in order to remedy the situation, we must reject selective and one-sided approaches to violations of international humanitarian law. There must be strict adherence to human rights standards, as well as compliance with the relevant decisions of the Security Council.

We unequivocally condemn both deliberate attacks on civilians and the loss of civilian life as the result of the indiscriminate or disproportionate use of force, which is a gross violation of international humanitarian law. We welcome the fact that this issue has been duly reflected in the resolution that the Council has adopted today. There is no justification for armed groups that attack civilians, carry out terrorist acts and take hostages.

We would like to underscore the shared responsibility of all parties to ensure the protection of civilians and to adhere strictly to international humanitarian law. We also support the thorough investigation of incidents involving violence, including punishing those responsible. That also applies to the activities of private security companies, whose actions often victimize innocent people.

The protection of civilians is primarily the responsibility of the Governments of the States involved in a conflict. All parties to an armed conflict have the responsibility to protect civilians. The actions of the international community should be focused on assisting national efforts in that regard. The international community can only take appropriate steps, especially when it comes to the use of force, under the auspices and with the consent of the Security Council, as well as in accordance with the Charter of the United Nations. Of course, we should always bear in mind the economic, social, historical, religious, cultural and other specific features of each country and region, including the specific nature of each conflict and the possible ways to resolve it.

The issue of the protection of civilians during peacekeeping operations still requires more detailed work. That should be done in harmony with further steps to enhance the effectiveness of United Nations peacekeeping operations. In that regard, we are in favour of further fine-tuning the practice of operational consultations between members of the Security Council, troop-contributing countries and the Secretariat on all aspects of peacekeeping operations, including during the planning stages, on the basis of existing procedures and arrangements and previous decisions of the Security Council.

There is no doubt that the Security Council should develop clear and realistic mandates to protect civilians, bearing in mind the material and financial resources available to United Nations peacekeeping operations and the operational guidelines in that regard, as well as on the basis of consultations with Member States.

At the same time, we must not forget that the protection of civilians is only one aspect of the mandate of a peacekeeping operation. The main task of United Nations peacekeepers is to assist the peace process. In the protection of civilians, the disarmament, demobilization and reintegration of former combatants can play a very important role. Such efforts require an appropriate level of support from United Nations peacekeepers. An important factor is the work of humanitarian agencies, which should be carried out in conformity with the Charter of the United Nations and humanitarian principles. The success of such action depends largely on how it accords with the efforts of the international community in achieving a peaceful settlement.

The President: I call on the representative of Japan.

Mr. Takasu (Japan): I thank you, Mr. President, for organizing this important debate. I would also like to congratulate Austria on its leadership in promoting the cause of the protection of civilians. In addition, we are grateful to the Secretary-General; Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; and Ms. Kyung-wha Kang, Deputy High Commissioner for Human Rights, for their valuable presentations.

The Security Council has developed a number of normative standards and frameworks on the protection of civilians since it adopted resolution 1265 (1999). They include, inter alia, the aide-memoire for reviewing mission mandates, revised earlier this year, and resolution 1894 (2009), just adopted. At the same time, we should acknowledge that enormous and wide-ranging challenges to the protection of civilians — such as sexual violence, child soldiers, deliberate attacks on humanitarian personnel and other violations

of international humanitarian and human rights law — remain in many parts of the world. The most pressing task for us now is to determine how we can put those normative frameworks and standards into practice.

First and foremost, international humanitarian and human rights laws must be acceded to by all States. Regrettably, many of the States involved in armed conflict have not yet acceded to such key instruments as the Additional Protocols to the 1949 Geneva Convention and the Rome Statute of the International Criminal Court. We urge all States to become parties to those instruments.

Once ratified, those instruments must be complied with and implemented. States have primary responsibility for protecting their citizens. However, States in armed conflict often lack the capacity and the institutions necessary for such implementation. It is essential that those States strengthen their law-enforcement institutions, promote security sector reform and establish the rule of law. The international community should support the efforts of those countries in their capacity-building. Japan will extend assistance as much as possible in that regard.

We must also address equally serious violations by non-State actors, which often operate outside the effective rule of government and deliberately make use of civilians to attain their goals. The Security Council must address serious violations of international humanitarian and human rights law whenever they occur, make its position known and urge parties to take steps to ameliorate the situation. If necessary, the Council should take measures to verify the facts and establish accountability, and sometimes also impose targeted sanctions to ensure the compliance of State and non-State groups with international law.

The United Nations assumes direct responsibility for protecting civilians where United Nations peacekeeping operations are deployed, and it is tasked with doing so. Of course, that is easier said than done. Out of the 15 peacekeeping operations currently deployed, eight are tasked with a protection mandate. Many of those missions face difficulties in implementing their complicated and demanding mandates with limited human and material resources. The areas in which they are deployed are generally large, and in many cases mission personnel do not necessarily have a clear understanding of how a Security Council mandate should be translated into operational activities on the ground.

If a mandate is to be successfully implemented, it must be realistic and feasible. In other words, in determining the mandate of a peacekeeping operation, the Security Council must fully take into account local security and other situations, as well as available resources and field support. That is important for the credibility of the Council and of the United Nations as a whole. From the perspective of guaranteeing credibility, we request the Secretary-General to ensure this by communicating clearly to the Government and the people of the host country the specific role that the mission is expected to perform.

Some missions have begun to take innovative approaches to translating the will of the Council into an operational plan. Unfortunately, many have not. In order to overcome that situation, we request the Secretariat to formulate and develop an operational concept and guidelines on the protection of civilians that are most appropriately tailored to meeting mission-specific requirements and situations on the ground.

At the same time, I wish to emphasize that protection does not mean merely protection from imminent military threat. A protection mandate needs to be implemented not only by a military component, but also by a civilian component, to deal with issues such as human rights violations and civil-military coordination. Therefore, each mission with a protection mandate needs to develop a comprehensive strategy.

In that regard, I wish to underline that empowering vulnerable people — children, refugees, internally displaced persons and others — also contributes to protecting civilians and preventing the recurrence of conflict. Empowerment is a core notion of human security. We believe that it provides added value to an operational plan and strategy for the protection of civilians.

In addition to improved guidelines and a strategy, it is essential to ensure an appropriate level of human and financial resources, training, information about the local situation, assets and equipment, including land and air transportation, and communications for effective mandate implementation. It is therefore indispensable to consult very closely with troop-contributing countries, police-contributing countries, major finance-contributing countries and host countries in the early stages of mandate formulation. In

particular, we need to strengthen predeployment training, because the skills necessary for a protection mandate differ significantly from those required for other operations.

We are very pleased at the high priority now being placed on this issue by the Secretary-General, the Secretariat and the Security Council itself. I hope that the outcomes of exercises such as the New Horizon study, the joint study between the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations, and the Security Council Working Group on Peacekeeping Operations will be fully reflected in order to strengthen partnerships with all stakeholders, including, inter alia, troop-contributing countries, police-contributing countries and major finance-contributing countries.

In conclusion, if the Council is to take appropriate action, it must receive timely and accurate information on the ground. United Nations missions with protection mandates should provide the Council with more detailed information about the protection of civilians on the ground. We value the meetings of the Security Council Expert Group on the Protection of Civilians in order to receive briefings from the Secretariat on the latest information prior to consultations on the mandates of specific missions.

The Security Council should continue to improve its work both in the formulation stage and in the implementation stage. Resolution 1894 (2009), adopted today, is an important contribution to setting the course that the Council should follow. In other words, we should closely monitor progress against the yardsticks provided for in the resolution.

I would like to conclude by reaffirming Japan's strong commitment to enhancing the security of vulnerable people caught in conflict.

The President: I call on the representative of the Libyan Arab Jamahiriya.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): I should like at the outset to thank the delegation of Austria for having organized this important meeting and to thank you personally, Sir, for presiding over it. I wish also to thank His Excellency the Secretary-General for his presence among us and for his important contribution to the debate. Nor can I fail to thank the Under-Secretary-General for Humanitarian Affairs and the Deputy High Commissioner for Human Rights for their statements.

Participants at the 2005 World Summit endorsed the principle of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The Security Council's deliberations and its relevant resolutions, including resolution 1674 (2006), helped to establish a framework incorporating measures on the protection of civilians in armed conflict. Those measures were intended to enhance the implementation on the ground of the principles of international humanitarian law and human rights law.

But in spite of the substantial progress achieved in the sphere of the codification of international humanitarian law and in spite of the endorsement of the general principles of the protection of civilians in armed conflict, the tangible results in terms of implementation have not yet reached the target. This frequently creates frustration because of the great divergence between principle and action.

The number of victims of armed conflict, including victims of foreign occupation, has not decreased. The suffering of victims has increased. This suffering includes torture and other forms of inhumane treatment such as gender-based and sexual violence, violence against children, the recruitment of child soldiers, trafficking in persons, displacement and the deliberate denial of access to international assistance.

We continue to live in a world in which States and groups wilfully and wantonly target civilians or adopt strategies that they know have the potential to result in the killing of civilians. Here, we note that wars have been and continue to be waged on the pretext of fighting terrorism or self-defence. In most such wars, principles and norms of international humanitarian law have not been heeded. The majority of casualties in these wars have been civilians. That is true in particular of Israel's repeated acts of aggression against Lebanon, the war in Iraq and the invasion of Afghanistan.

Nor must we forget the victims of local conflicts. The Somali people have been subject to killings, displacement, exile as refugees, hunger and threats and have been deprived of their fundamental rights. In the eastern part of the Democratic Republic of the Congo, civilians continue to suffer as a result of the conflict and daily violations of their rights. In Darfur and in

eastern Chad, civilians continue to fall victim to tribal conflicts and regional disputes. That list is far from exhaustive, and everybody knows it.

The Palestinian people continue to suffer the harshest and most inhumane treatment under Israeli occupation. In the Gaza Strip, the most basic needs of more than 1.5 million Palestinians continue to be neglected. They are being denied access to humanitarian assistance — even assistance provided under the supervision of the United Nations, which cannot reach them in a timely manner. The Gaza Strip has become a huge prison, with entry and exit still being obstructed. That is unprecedented in human history.

But the Israeli occupation authorities were not satisfied with the situation and launched a flagrant 22-day act of aggression against the Gaza Strip, employing every means of mass destruction, including internationally prohibited weapons such as white phosphorus. The attacks spared no one and did not distinguish between civilians and members of the military. They wantonly targeted civilians, civilian infrastructure such as hospitals and schools and United Nations property and facilities. The result is known to all and has been set out in trustworthy international reports that are beyond question.

In fact, we cannot understand how the Security Council can remain silent, and how it can fail to move immediately to prosecute Israeli perpetrators of war crimes, in particular the crimes in Gaza. These are very well documented and have been set out in the report of the fact-finding body established by the Secretary-General to investigate damage to United Nations property in Gaza, as well in the report of the United Nations Fact-Finding Mission on the Israeli aggression in Gaza, chaired by Justice Richard Goldstone (see A/HRC/12/48). The General Assembly has considered the latter report and endorsed its recommendations; it has called on the Security Council to adopt measures on war crimes and crimes against humanity perpetrated by the Israeli occupation forces against civilians in Gaza. We hope that, ultimately, the support of some Council members for Israel will not block the Council's attempts to shoulder its responsibilities. We hope that Israel will cease to be an untouchable entity that is above the law.

Thousands of Palestinians were mercilessly killed or wounded in full view of the international community. Internationally prohibited weapons were used against Palestinians, and the infrastructure of Gaza was almost completely destroyed. For justice to prevail, the perpetrators of these crimes must be prosecuted. The Security Council must complement the role of the General Assembly so that its deliberations on the protection of civilians can be meaningful and so that the Council can regain its credibility.

When it adopted resolution 1674 (2006), the Security Council was very clear about the need to provide unobstructed humanitarian assistance to those in need. The Council must adopt an unwavering position on the provision of international humanitarian assistance and on meeting the basic needs of those requiring assistance. For that reason the Council must pressure the Israeli occupation authorities to lift their siege on Gaza, enabling people, goods and money to move freely, so that the basic needs of those under siege are met.

Some countries take the high moral ground when they preach at us in the Security Council about the protection of civilians. But those countries do nothing to protect Palestinians from Israeli terror or from Israel's systematic crimes against the Palestinian people, even though it is within their power to put an end to them. These countries compete to provide the weapons that the Israeli entity uses to kill and mutilate Palestinians. Moreover, they claim to be committed to Israel's so-called security, which certainly includes the security of the Israeli occupation in occupied Arab territories. This undoubtedly complicates the lives of Palestinian and Arab citizens who can find no explanation for this blind support for Israel's behaviour.

The issue of protecting civilians in armed conflict should be addressed comprehensively and in a context that includes prevention, motivation, rationales and outcomes. We would stress, first, that the Council must place greater priority on preventing the outbreak or exacerbation of conflicts. To that end, international efforts must be coordinated to combat hunger and poverty and to redress the injustices inflicted on many peoples. The activation of preventive diplomacy and early warning mechanisms would do much to prevent the outbreak and exacerbation of conflicts. Secondly, pursuant to resolution 1674 (2006), the protection of civilians should be a core priority of United Nations peacekeeping operations, which should be endowed with the means necessary to that end. Thirdly, when the

Security Council acts to guarantee the protection of civilians, its actions should be balanced and transparent, avoid double standards and be supported by a system of accountability and sanctions that serves as a deterrent to all without distinction.

We hope that our debate will result in coordinated action commensurate with the importance of the issue under discussion, which touches first and foremost on the dignity of humankind.

The President: I now give the floor to the representative of the United States of America.

Ms. DiCarlo (United States of America): I, too, would like to thank the Secretary-General for his comments this morning, and Under-Secretary-General Holmes and Deputy High Commissioner Kang for their briefings.

The United States thanks you, Sir, and the Government of Austria for organizing this important debate and for your leadership on the resolution the Security Council has just adopted. Resolution 1894 (2009) consolidates a decade of study and effort to better protect civilians in armed conflict. We also offer our deepest thanks today to the hundreds of brave United Nations personnel dispatched to war zones who have died trying to put our aspirations into practice.

As a result of this decade of United Nations action, millions of civilians have been saved and helped through political, peacekeeping, human rights, humanitarian and development efforts. This is certainly the case in such places as Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, Liberia, Sierra Leone, Sri Lanka, Timor-Leste and other countries shaken by armed conflict.

But in all too many places, the innocent have still borne the brunt of conflicts. In this same decade, the response has sometimes come too late or fallen short. Millions of Congolese died in the past decade as the direct or indirect result of armed conflict. In Darfur, hundreds of thousands of people were slaughtered and millions driven from their homes. The plight of civilians in the eastern Democratic Republic of the Congo, Darfur and elsewhere in northern and southern Sudan remains precarious and extremely worrying. Somalia and its civilian population have been devastated by decades of violence. Insurgent attacks still terrorize innocents in Iraq and Afghanistan, and the Palestinian and Israeli peoples continue to suffer from the ongoing Arab-Israeli conflict.

Far too many civilians are still threatened and victimized by violence. The perpetrators — often rebels, terrorists, extremist groups and other non-State actors — are unmoved by the law and operate outside it. War-torn States often lack the capacity to bring perpetrators to justice and provide security for their citizens. State security forces that lack the necessary training and oversight, as well as State forces integrated with former rebels during the implementation of peace agreements, can themselves threaten civilians, as evidenced by the case of the Armed Forces of the Democratic Republic of the Congo.

International peacekeepers can and do supplement local capacity in countries shaken by conflict. Eight United Nations peacekeeping missions are now mandated to protect civilians from physical violence, but some peacekeepers lack the means to match their challenging mandates. We must do better.

On occasion, the severity of the threat cannot be managed by United Nations peacekeepers. What is needed is much more sophisticated combat capability and enforcement action. It is especially important that military forces undertaking such actions abide by the Geneva Conventions, the sixtieth anniversary of which we celebrate this year. United States forces are committed to compliance with the laws of war, including the Geneva Conventions, even as we face an enemy that is loyal to no State, that hides among civilians and that routinely violates laws.

The lives of innocent civilians in all the world's conflict zones demand our concern, but the situations in which civilians are imperilled differ radically. As such, the resolution adopted today addresses a wide range of actions to strengthen the protection of civilians. I would like to highlight four of them.

First, we must continue to develop the means to ensure that the Security Council has prompt access to accurate and objective information on threats to civilians in armed conflict, impediments to humanitarian access, and alleged violations of international humanitarian, human rights and refugee law.

Secondly, we must strengthen the tools to hold accountable those who flout the laws of war. The

Security Council must be prepared to impose sanctions — whether by freezing assets, banning international travel or restricting the flow of goods and arms — on those who violate international humanitarian law. Establishing accountability and promoting reconciliation through credible and effective national courts, when possible, or through international or hybrid tribunals, when necessary, is essential to ending impunity. Those responsible must be held to account.

Thirdly, we need to support the capacity of countries emerging from conflict to rebuild their infrastructure and institutions, including those dealing with protection and security for their citizens.

Finally, members of the Security Council, troop and police contributors, and the Secretariat all need to forge a shared understanding of what the protection of civilians entails in peacekeeping contexts. Mission-wide strategies to protect civilians, involving military, police and civilian components, are critical. Peacekeepers need to be prepared, trained and equipped to employ force effectively when required, in accordance with their mandates.

In this regard, we look forward to early discussions on the study on protecting civilians recently completed by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs, including at the forthcoming session of the General Assembly's Special Committee on Peacekeeping Operations.

We have the tools and mechanisms to protect civilians in armed conflict, but we still have considerable work to do to improve them, to develop new ones and to summon the will to use them more consistently. We must also consider taking additional measures to enhance the safety and security of United Nations personnel undertaking this vital work. And we must do all of this concurrent with our efforts to prevent, halt and end the armed conflicts themselves.

Let me thank you once again, Mr. President, for organizing this meeting on such an important issue. We regret, however, that, as we have just heard, some have sought to use this opportunity to promote other objectives.

The President: I now give the floor to the representative of Viet Nam.

Mr. Le Luong Minh (Viet Nam): I thank the Austrian presidency for taking the initiative of convening this open debate of the Council on the important issue of protection of civilians in armed conflict. I thank the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and the Deputy High Commissioner for Human Rights for their statements.

My delegation aligns itself with the statement of the Non-Aligned Movement to be delivered by the representative of Egypt.

As we mark the tenth anniversary of the Security Council's consideration of the issue of protection of civilians in armed conflict, we are encouraged by the efforts of many Member States in establishing national mechanisms and institutions to ensure better protection of civilians. We commend United Nations entities in general and, in particular, the Office for the Coordination of Humanitarian Affairs (OCHA) and peacekeeping missions with mandates to protect civilians, for their work in protecting and helping civilians in armed conflict over the past years.

We remain concerned about the indiscriminate and excessive use of force against civilians, the widespread attacks against schools, hospitals and other civilian targets, as well as other violations resulting in numerous deaths, injuries and suffering of innocent civilians.

We strongly condemn the use of civilians as human shields during conflicts. It is alarming that the number of refugees and displaced persons as a result of conflicts now totals nearly 40 million, causing considerable social and economic difficulties for the host countries and localities. It is also alarming that, in many cases, humanitarian access for civilians, including access to food, fuel and medical care, has been almost totally hindered, and that humanitarian personnel continue to be attacked or prevented from delivering humanitarian assistance to civilians.

We condemn all those inhumane acts against civilians and call on all parties to conflicts to strictly comply with their obligations under international humanitarian and human rights law to protect civilians in armed conflict. To ensure favourable conditions for and the effectiveness of the delivery of humanitarian assistance to civilians in armed conflict, we emphasize the need to respect and strictly observe the principles

of neutrality, impartiality and independence in the provision of such assistance.

Viet Nam reiterates its consistent view that States bear the primary responsibility within their respective jurisdictions to protect their own populations. The United Nations, regional organizations and the international community have an important role to play in supporting and assisting Member States, particularly through political mediation and humanitarian assistance. In this connection, the engagement and cooperation with national Governments is vital. Coordination and cooperation among United Nations entities should also be further strengthened, particularly among OCHA, United Nations missions and country teams.

We are convinced that the issue of protection of civilians in armed conflict should be approached from a holistic perspective. Measures to protect civilians in armed conflict, including refugees and internally displaced persons, can only be viable if the practical needs of civilians, including those for subsistence, education and health care, are adequately addressed. In designing such measures, the methodologies used in collecting accurate, timely and reliable information from the field should be carefully considered to ensure effectiveness and efficiency. The Council and other United Nations bodies should adhere to their lines of responsibility and make the best use of existing mechanisms, with a view to avoiding duplication, thus contributing to the best possible performance of the entire United Nations system.

Resolution 1894 (2009), which the Security Council has just adopted, constitutes another effort in the international community's humanitarian cause of protecting civilians in armed conflict. I would like to thank you, Sir, and the delegation of Austria, for your efforts towards the adoption of such an important resolution.

The President: I now give the floor to the representative of Burkina Faso.

Mr. Kafando (Burkina Faso) (*spoke in French*): Since the Alpbach retreat, Mr. President, we have been aware of how meticulously you have prepared today's discussion on an issue that is central to the responsibilities of the international community and, in particular, the Security Council. We wish to commend you for that, in the belief that we will not hold just another discussion but will bring a new vision for a better understanding and a more appropriate treatment of the protection of civilians in armed conflict.

Since the adoption of resolution 1265 (1999) 10 years ago and of the Geneva Conventions 60 years ago, the Security Council has on many occasions addressed this issue, which has become more complex as various conflicts of different natures have broken out. In addition to classic warfare, today we are seeing tribal and interethnic wars leading to pogroms against civilians. The massacres in Sierra Leone and in Liberia during their civil wars and, closer to us, the atrocities in the Democratic Republic of the Congo, Darfur, Sri Lanka and Gaza, show the extent to which, despite the goodwill and efforts of people and the powerful means deployed, the protection of civilians in conflict remains a challenge, and one that is far from being successfully met. However, the Security Council's regular examination of this problem demonstrates its resolve to find fitting solutions.

Here, the legal arsenal to address the matter has grown over time. Resolution 1674 (2006) has the merit of having included the concept of impunity with that of the protection of civilians. Six other resolutions pertaining to specific aspects of the protection of civilians have made it possible to draw attention to the situation of women and children, as well as sexual violence. In parallel, the Council has adopted eight presidential statements and the updated aide-memoire of January 2009 (S/PRST/2009/1, annex), and it has set up sanctions committees and tribunals. So, the framework does exist, and it is very clear.

Unfortunately, despite such notable progress, much remains to be done because of the persistence of grave violations of international humanitarian law and in spite of all the relevant Security Council resolutions. In fact, we witness, sadly, that civilians continue to be the first targets and victims of the same atrocities: sexual violence, fires, destructions of homes and infrastructure, forced recruitment of children, sexual slavery, denial of access to humanitarian aid, forced displacement and others. In the face of those failures it is only right to remind all actors, and first and foremost combatants, of their duties and obligations.

States have the primary responsibility to protect their populations from all grave abuses. They therefore must facilitate the access of victims to redress, which requires putting in place and strengthening credible independent judicial mechanisms that are open to

victims, and the firm enforcement of court decisions to put an end to impunity. Also required are such measures as the strengthening of military justice, the establishment of boards of inquiry and truth and reconciliation commissions. To those we must add the bolstering of the rule of law in peacetime by protecting and promoting human rights, good government, socio-economic development and the consolidation of social cohesion and national unity. Those are all things that can prevent the outbreak of violence.

Just like States, armed groups also have obligations under the Geneva Conventions. Unfortunately, in some cases, we see a complete ignorance of those basic texts, particularly on the part of non-State armed groups. It is therefore absolutely necessary to establish dialogue with them, within the framework of cooperation with States, in order to inform them of the content of those fundamental texts. Such an approach, which has already shown convincing results in the realm of children in armed conflict, should not however be perceived as legitimating their existence. Moreover, armed groups must establish internal disciplinary sanctions and implement them with due stringency, or, if they fail to do so, group leaders must be made to answer for the acts of their members.

One of the major challenges to the protection of civilians in situations of armed conflict is humanitarian access, given the obstacles and climate of insecurity and violence. We urge all parties to respect international humanitarian law and, as a matter of priority, to guarantee the security of humanitarian personnel and ensure conditions for the rapid delivery of aid to civilians, including to refugee and internally displaced person camps, through humanitarian corridors.

The role of peacekeeping operations in the protection of civilians is, by now, well established. It is therefore now necessary to equip them with clear, credible and realistic mandates supported by the necessary logistic and financial resources, including predeployment training on relevant legal norms for contingents. These mandates must also be flexible, so that they can be carefully reoriented to respond to the situation on the ground and to protection needs.

Given the multisectoral nature of the protection of civilians, it is imperative to improve coordination between the Office for the Coordination of Humanitarian Affairs, the Department of Peacekeeping Operations, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative on sexual violence to be appointed and all other partners on the ground, in order to meet the urgent needs of civilians.

Other complementary actions must be undertaken. For example, there is a need to improve the synergy of actions by means of an inclusive and participatory mechanism of communication and information-sharing among the United Nations, States and civil society. Moreover, a structured analysis of the problems would make it easier to examine the issue in a comprehensive and coherent way, drawing on the relevant elements in the aide-memoire.

Given the intrinsic responsibility that falls to the Security Council, this body must ensure that its resolutions and international humanitarian law are observed and must speak with a united voice in all instances of serious violations. It must emphasize mediation by calling protagonists to a frank dialogue that can be carried out in a climate of security and mutual trust. It must establish independent commissions of inquiry to establish the facts in cases of serious violations and prosecute perpetrators before the appropriate international judicial body. It must intervene systematically from the first signs of armed conflict, deploying peacekeeping operations as soon as possible so as to limit damage. The prevarications throughout the Rwandan genocide must serve as an example for us here.

In conclusion, we wish to express our satisfaction with the United Nations system, as well as with regional and subregional organizations, for their efforts. We welcome the adoption on 23 October 2009 of the African Union Convention on the Protection of and Assistance to Internally Displaced Persons in Africa. This unique convention is a binding legal and institutional framework requiring States to take appropriate measures to prevent and eliminate the deep-rooted causes of forced displacement. The Kampala Declaration of principles on this issue specifically commits States to fight impunity by ensuring individual responsibility for arbitrary displacement, pursuant to domestic and international criminal law. We wish also to thank the personnel of peacekeeping operations and the humanitarian community, who work on a daily basis side by side

with the civilian population, sometimes paying with their lives.

The resolution that we have just adopted will enable all parties concerned better to understand the consequences of this human tragedy and to assume their responsibilities to protect human rights in periods of armed conflict.

The President: I now give the floor to the representative of China.

Mr. Zhang Yesui (China) (*spoke in Chinese*): At the outset, I wish to welcome your presence at the Security Council, presiding over this open debate. I should like to thank Secretary-General Ban Ki-moon, Under-Secretary-General Holmes and Deputy High Commissioner for Human Rights Kang for their briefings.

This year marks the tenth anniversary of the Council's discussion of the protection of civilians in armed conflict. Over the past decade, the Council has been paying ever greater attention to the protection of civilians and has made positive efforts to deal with this issue. However, with the changes in the nature of armed conflict and the effects of various complicated factors, large numbers of civilians in many regions of the world continue to be harmed by armed conflicts. Thus the international community continues to face an uphill struggle in addressing the protection of civilians.

We are deeply concerned over the threat and harm to the lives and property of civilians in situations of armed conflict. We urge parties to conflicts to comply with international humanitarian law and relevant resolutions of the Security Council and to protect the lives, property and legitimate rights and interests of civilians. We are in favour of strengthening the Council's efforts in this regard.

The issue of the protection of civilians involves many aspects and is very complex indeed. The countries concerned, relevant international agencies of the United Nations and regional organizations should make the most of their strengths and expertise, working in a concerted manner to respond to this issue together.

The Security Council bears primary responsibility for the maintenance of international peace and security and, as such, it is duty bound to keep the protection of civilians in armed conflict on its agenda and to deal with it accordingly. The Council must tackle this issue at its root, devoting greater attention to preventing and containing conflicts. At the same time, it is necessary to make sure that this issue is addressed within the overall framework of political processes aimed at the peaceful resolution of conflicts.

Primary responsibility for the protection of civilians lies with national Governments. When providing assistance, the international community and external organizations must comply with the provisions of the Charter of the United Nations, fully respect the will, sovereignty and territorial integrity of the country concerned, and refrain from forceful interference. Dialogue between the United Nations and non-State armed groups may be helpful in the protection of civilians, but such dialogue should be conducted within the general framework of cooperation between the United Nations and the country in question and with the consent of its national Government.

With regard to the question of impunity, we support the leading role played by the domestic judicial system of the country concerned as the main avenue for achieving justice. The international community has, over the years, developed a relatively complete system of international legal norms. The 1949 Geneva Conventions and their 1977 Protocols provide a comprehensive and systematic regime for the protection of civilians in armed conflict. However, in the reality of today's world, many provisions are yet to be fully respected and observed. Therefore, the pressing issue is to ensure the comprehensive, just and effective implementation of the existing norms. In this context, the competent United Nations entities and international treaty bodies should continue to play their important roles.

The Council has adopted many resolutions and presidential statements on the protection of civilians in armed conflict. The priority for the next stage should be to push forward the effective implementation of these documents.

Tasking United Nations peacekeeping missions with the protection of civilians is a decision that the Council takes on a case-by-case basis. We are of the view that a mandate to protect civilians should be prepared in the light of real need, taking fully into account the situation on the ground and the existing capacities and conditions of a given peacekeeping mission. A one-size-fits-all approach is not advisable. We attach great importance to the protection of civilians, but we are not in favour of indiscriminately

expanding such mandates while ignoring real-world conditions and the physical viability of implementing such mandates.

It is necessary to emphasize that the key to ensuring a successful peacekeeping mission is adherence to the three principles governing peacekeeping operations, namely established local consent, mission neutrality and the non-use of force except in self-defence. Any deviation from these principles in implementing a mandate to protect civilians would only create more controversy and problems than it could solve, and could even jeopardize the overall peacekeeping process.

In addressing the mandate to protect civilians in armed conflicts, the efforts of the Council alone are far from adequate. Tackling the problem through its symptoms, while ignoring the root causes of a conflict, will not contribute to finding a lasting solution to the protection of civilians. Today, most conflicts take place in the less developed areas of the world. The United Nations should mobilize world resources and provide the relevant countries with financial and technical assistance to help them to develop their economies, free themselves from poverty and thereby avoid conflicts.

We hope that the General Assembly, the Economic and Social Council, the United Nations Development Programme, the World Bank and other international institutions and regional organizations will play a part in assisting the countries concerned in areas such as economic development, conflict resolution and the protection of civilians. We also welcome non-governmental organizations playing a more positive role in that regard.

The President: I now give the floor to the representative of Turkey.

Mr. Apakan (Turkey): At the outset, I wish to thank Secretary-General Ban Ki-moon, Under-Secretary-General Holmes and Deputy High Commissioner for Human Rights Kang for their comprehensive statements.

I would like to thank the Austrian presidency for organizing this high-level meeting. We also commend it for building consensus on resolution 1894 (2009), which marks the tenth anniversary of the initial consideration of the protection of civilians in armed conflict in the Council as a thematic issue. Unfortunately, not a single day has passed in those 10 years without a civilian casualty in armed conflict or without civilians being targeted. We should react to such deliberate attacks. Indeed, we can say that the international community is still failing to provide security to civilians in armed conflict.

The issue of the protection of civilians has been a priority topic on the agenda of the Council in recent years, especially since the beginning of this year, given the atrocities and human rights violations in different parts of the world, in particular Gaza.

The Secretary-General's recent report (S/2009/277) gives us a comprehensive account of the latest situation in protecting civilians in armed conflicts. The report indicates the difficulties and challenges for the future. However, recent developments offer hope as well. The adoption over the past months of Security Council resolution 1882 (2009) on children and armed conflict, as well as resolutions 1888 (2009) and 1889 (2009) on women and peace and security, indicates an important evolution in protecting civilians in armed conflicts.

In the light of those developments, we are pleased that the Austrian presidency has broadly included the peacekeeping aspect in the resolution. We attach a high priority to peacekeeping, peacemaking and peacebuilding issues, as demonstrated during our presidency of the Council. Naturally, the resolution represents a balance and does not change the fact that there are issues of a very sensitive nature that run the risk of undermining or weakening our efforts if not addressed carefully.

In that vein, I would like to emphasize four points. The first concerns non-State armed groups. Given the inevitable ambiguity of that term and the many different kinds of entities that fall into that category, we believe that one should be extremely careful in dealing with such groups. That is particularly important as many terrorist organizations attempt to abuse the term and what it entails in their quest to gain international attention and support.

Secondly, combating terrorism is both the right and the obligation of every State. Nothing should be allowed to weaken our resolve to fight that scourge. The activities of terrorist organizations themselves put the lives of civilians in danger. Thus, international organizations, and non-governmental organizations in particular, should be vigilant in conducting their work

in conflict areas and not allow themselves to be exploited by such groups and organizations.

Thirdly, as a troop- and police-contributing country to United Nations peacekeeping operations, we wish to see more emphasis on the peacekeeping aspect of this issue in the future. We look forward to a further debate within the United Nations system on the independent study commissioned by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations on the protection of civilians in the context of United Nations peacekeeping operations, which was released recently.

To that end, we hope that regional ownership and cooperation will become a priority. Likewise, we believe that the issue of cultural differences and sensitivities should be taken into consideration in predeployment training for peacekeeping operations by all States. In that vein, the imbalance between well-funded peacekeeping operations in some areas where armed conflict has ended and other operations that need urgent strengthening should also be immediately addressed.

Fourthly, I would like to stress that it is in fact by strengthening the rule of law, human rights, democracy and good governance that we can secure the long-term and lasting protection of civilians. Those should be our main goals for the future.

The President: I now give the floor to the representative of Uganda.

Mr. Lukwiya (Uganda): We thank you, Mr. President, for organizing this important debate on the protection of civilians in situations of armed conflict. We also thank the Secretary-General, Mr. Ban Ki-moon; the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. John Holmes; and the Deputy High Commissioner for Human Rights, Ms. Kyung-wha Kang, for their succinct and very informative briefings this morning.

The year 2009, apart from being the sixtieth anniversary of the 1949 Geneva Conventions, together with their Additional Protocols, also marks 10 years since the Security Council's adoption of its resolution 1265 (1999) on the protection of civilians.

Uganda remains concerned that civilians still account for the vast majority of casualties during situations of armed conflict. Civilians continue to be targeted by parties to conflicts and subjected to indiscriminate attacks and other forms of violations, such as forced displacement, sexual violence, forced conscription, indiscriminate killings, mutilation, maiming, hunger, disease and loss of livelihood. The impact of those violations lingers on long after active combat has ended. Sixty years of attempts at understanding the concept of the protection of civilians in armed conflict is a long period of time, especially for the innocent civilians who wake up every day confronted by those threats.

The proliferation and fragmentation of non-State armed groups contribute to the complex nature of most conflicts. Such groups do not subscribe to or even realize their obligations under international law to protect civilians, but instead view them as human shields to fortify their numbers and gratify their social needs. Of even greater concern is that most civilians caught between warring parties for the most part remain ignorant of their rights under international law, being more concerned with simply trying to stay out of the crossfire and to distinguish between friend and foe.

Resolution 1894 (2009) reaffirms those obligations and calls upon States emerging from armed conflict to prioritize security sector reform and independent national judicial systems, and to take all feasible steps to empower their populations through the dissemination of information, education and training on the rights and responsibilities of civilians in situations of armed conflict. However, experience has shown that such States cannot rebuild national institutions on their own, and therefore require support from the international community. The new resolution (1894 (2009)) covers important areas that are often taken for granted. It recognizes the need for safeguards for vulnerable people, especially women, the elderly, the disabled, and children, the civilians envisaged in such terminology. In addition, the resolution addresses the important component of refugees and internally displaced persons.

Uganda is encouraged by the attention this resolution gives to the proliferation and destabilizing effects of small arms and light weapons, as well as to the devastating impact of landmines and explosives left after war. Even more significant for us is the recognition of the needs of persons with disabilities as a vulnerable group arising out of the indiscriminate use of these weapons. Uganda calls upon all subregional and regional organizations, civil society organizations

and Member States to come to the aid of these people and to take initiatives aimed at the clearance and removal of unexploded ordnance and at educating civilian populations about the dangers it poses.

Of the 26 million documented internally displaced persons worldwide, 11.6 million are in Africa. Today's resolution notes the recent adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa at a summit held in Kampala on 23 October. Now known as the Kampala Convention, it is an important milestone in addressing the root causes of conflict in Africa. The Convention provides a legal framework for promoting and strengthening regional and national measures to prevent, mitigate, prohibit and eliminate the root causes of internal displacement.

My delegation also welcomes the Council's recognition of the need to address the issue of HIV and AIDS as an important component of national predeployment training information for peacekeeping troops, as well as for personnel involved in peacemaking, peacekeeping and peacebuilding activities. It is imperative to point out that HIV and AIDS present a constant risk for populations, not just during times of peace but even more so during times of conflict. Soldiers are a high-risk group for HIV infection during their deployments and can unknowingly spread it as they are transferred from one location to another.

Long after the guns have gone silent, affected populations, many of whom end up losing everything, are left to pick up the pieces with no assistance, even from friendly forces. International law does not provide for making amends to individuals who lose property or livelihood as a result of armed conflict. Today's resolution calls for national reparation programmes for victims as well as institutional reforms. However, my delegation would like to go a step further and also recognize the need for all parties to armed conflict to emphasize the dignity of civilians by recognizing losses that result from lawful combat operations, as well as providing meaningful amends to affected individuals and communities, such as financial assistance or funding for humanitarian aid programmes. My delegation encourages all Member States to embrace the concept of making amends, not because there is any legal obligation to do so, but simply in the interests of mitigating suffering and promoting humanity. That has been the policy of the Uganda People's Defence Forces (UPDF) and continues to be implemented by UPDF troops serving in the African Union Mission in Somalia.

In conclusion, we thank the delegation of Austria for spearheading the drafting of the resolution that we have just adopted.

The President: I now call on the representative of Mexico.

Mr. Heller (Mexico) (*spoke in Spanish*): We would like to thank the Government and delegation of Austria for convening this meeting, which reflects the commitment of the United Nations to strengthening international humanitarian law in order to protect victims of armed conflict. We would also like to thank the Secretary-General for his detailed report, as well as Mr. John Holmes, the Under-Secretary-General for Humanitarian Affairs, and Ms. Kyung-wha Kang, the Deputy High Commissioner for Human Rights.

Mexico attaches a great deal of importance to this topic, and we commend the Security Council for the work it has done in this area over the past decade. In particular, we welcome the recent adoption of resolutions 1882 (2009), 1888 (2009) and 1889 (2009), to which we can now add the resolution adopted today (1894 (2009)), which will no doubt revitalize the protection in armed conflict of civilians, especially the most vulnerable groups, such as women and children.

The improvements that have been made to legislation and to international bodies of standards help better to define the concepts relating to the protection of civilians in armed conflict and are undoubtedly important. However, despite good intentions, we have not gone beyond the realm of theory. Sadly, the situation on the ground gets worse by the day. That is why it is essential that we achieve a better connection between theory and practice, in order to avoid situations where civilians become the chief victims of violence during armed conflict. We should emphasize that lack of adherence to the standards of international humanitarian law, as well as the imperfect interpretations of the law made by the parties to armed conflict during that conflict, result in serious violations of those laws that may constitute war crimes and fall within the jurisdiction of the International Criminal Court. For these reasons, it is essential to establish a strategy based on three pillars: first, enforcing compliance with international humanitarian law; secondly, strengthening the work of humanitarian

organizations; thirdly, improving accountability, in order to put an end to impunity.

International humanitarian law must be complied with, regardless of the type of armed conflict in question. The four Geneva Conventions of 1949, their Additional Protocols and other instruments of international humanitarian law, as well as customary international law, form a solid foundation of principles and norms that protect the life and dignity of all those who no longer participate in hostilities or who never have. We call on those States that have not yet done so to accede to all international instruments in the area of international humanitarian law, and on the parties to conflicts to comply with their international obligations. We know very well that the obligation to respect international humanitarian law cannot be fulfilled without due implementation, at the national level, of these international obligations. This is why we would also urge States to incorporate these standards and principles in their national legislation and practices.

It is clear that denying or blocking humanitarian assistance exacerbates the situation of populations in armed conflict. When humanitarian assistance is inadequate, given the cross-cutting nature of this topic, peacekeeping missions and the specialized agencies of the United Nations in conflict areas carry out the essential task of protecting civilians, and this should be acknowledged.

We also acknowledge the work carried out by humanitarian institutions, in particular the International Committee of the Red Cross, and by civil society, especially with respect to the delivery of humanitarian assistance and the importance of guaranteeing safe, timely and unimpeded access to humanitarian assistance in conflict and complex emergency situations.

Access of humanitarian assistance to civilians in armed conflict is a topic to which we attach particular importance, as it is a sine qua non for protection. As Mexico indicated during the debate in January (see S/PV.6066), my delegation would like to reiterate our disagreement with interpretations that can restrict or exclude human dignity in complex situations and that favour positions that set this humanitarian principle against the principle of sovereignty.

When violent acts are committed against civilians and other persons protected in situations of armed conflict, justice must be done in order to put an end to the impunity of the alleged perpetrators of serious crimes or those ordering them to be committed in contravention of international law. The existence of the International Criminal Court and its complementary role vis-à-vis national jurisdictions should not only serve as an incentive to strengthen national justice systems, but also represent an effective mechanism for dealing with crimes when national judiciary structures have disappeared as a result of conflict. That is why it is important to achieve the universality of the Rome Statute.

In conclusion, it is important to reflect on the progress achieved and on the challenges to come, in order to consolidate a culture of respect for the principles and standards of international humanitarian law and to eradicate impunity. The resolution that we adopted this morning is a significant step in that direction.

I would like to conclude by saying that this reflection should lead us to face and overcome the entrenched political interests that often prevent full compliance with the obligations that flow from international law, prevent rapid and resolute action to deal with humanitarian crises and prevent accountability in the face of flagrant impunity. We can begin to move towards this goal by ensuring prompt follow-up to the recommendations contained in the relevant reports of the Secretary-General and the decisions adopted by the Security Council and other United Nations organs, with a view to ensuring their full implementation. When this does not occur, robust measures should be adopted to guarantee international peace, justice and security.

The President: I shall now make a statement in my capacity as Minister for European and International Affairs of Austria.

At the outset, I would like to thank the Secretary-General and all other speakers for their presentations. The numerous challenges in the protection of civilians highlighted today show the urgent need to intensify our efforts. The protection of civilians is central to the mandate of the United Nations and the mandates of its peacekeeping missions. It is of the utmost importance that Security Council mandates for the protection of civilians are effectively implemented by missions on the ground. This requires that the Council address the protection of civilians in its daily work in a systematic manner.

Austria aligns itself with the statement to be delivered by the representative of Sweden on behalf of the European Union. Let me just add a few additional points.

All parties to armed conflict must strictly comply with their obligations to protect civilians under international law. This applies to all parties in any conflict in the world, be it in the Democratic Republic of the Congo, Darfur, Afghanistan or Gaza. Austria has reaffirmed on several occasions its position that serious violations of international humanitarian and human rights law need to be thoroughly investigated. Accountability for serious crimes must be ensured by taking concrete measures to promote the rule of law, prevent future violations and seek sustainable peace, justice, truth and reconciliation. This requires action at the national and — where necessary — international levels. The Security Council has an important role in ending impunity.

Austria is also greatly concerned about the detrimental effects of small arms and light weapons on civilians. They prolong conflicts, they endanger civilians and they undermine security, peace and stability. Parties to armed conflict need to take all required measures to protect civilian populations from the effects of landmines and cluster munitions. Victims require enhanced protection and assistance.

Persons with disabilities are particularly affected by armed conflict and have so far not received adequate attention. The United Nations system has to address more effectively the protection and assistance needs of this vulnerable group.

It is clear that the primary responsibility to protect civilians rests with national Governments. This is reaffirmed by the concept of the responsibility to protect civilian populations from war crimes, crimes against humanity and genocide. The Security Council, as the United Nations organ with the primary responsibility for the maintenance of international peace and security, has an important role to play. The focus must be on saving lives through timely and decisive action taken at the national, regional and international levels.

We look forward to continuing this important debate on the protection of civilians, and I would like to underscore Austria's full commitment to working with other Council members and all relevant stakeholders to implement resolution 1894 (2009), adopted today, in order to ensure the protection of those who are most vulnerable in situations of armed conflict.

I now resume my function as President of the Council.

I now invite the representative of Sweden to take the floor.

Mr. Lidén (Sweden): I have the honour to speak on behalf of the European Union. Croatia, the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Iceland, Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this statement.

Let me first thank Austria for organizing this debate, which marks the tenth anniversary of the beginning of the Security Council's work on the protection of civilians. Let me also commend the Secretary-General for his statement today and for his leadership on this important issue. The European Union welcomes resolution 1894 (2009), just adopted, in particular its emphasis on clarifying the role of peacekeeping missions in the protection of civilians.

In the past 10 years, the protection of civilians in armed conflict has assumed a prominent place on the Council's agenda. This prominence has been manifest in regular open debates and by increased inclusion of the protection of civilians in country-specific deliberations and decisions. However, the reality on the ground has not kept pace, and lip service to principles is no substitute for real action. The European Union joins calls for much greater efforts to turn rhetoric into reality.

The lack of compliance with international humanitarian law and human rights law leads to the death and injury of thousands of civilians every year and to the displacement of many more. We must enhance respect for these standards by all parties to armed conflicts, with particular attention given to the protection of civilians.

The Council needs to systematically promote compliance with international law in situations on its agenda, and also in situations not formally on its agenda but with dramatic impact on the protection of civilians. The Council should consider imposing targeted and graduated measures against parties to armed conflict that violate applicable international law. Furthermore, we must enable relevant actors to engage

and seek compliance by all parties to conflict, including non-State armed groups.

Regrettably, in many conflicts, impunity prevails due to the lack of political will and action. The culture of impunity in many conflicts allows violations to continue to be committed. Violations of international humanitarian law and human rights law must have consequences for the perpetrators. All measures, including strengthened national legislation, should be used to prevent violence and to bring perpetrators of serious violations to justice.

The European Union calls for the ratification of the Rome Statute of the International Criminal Court and for full cooperation with the Court by all States. We also welcome and support the steps to implement the responsibility to protect set out in the Secretary-General's report (A/63/677), the subsequent General Assembly debate and its adoption of resolution 63/308. The concept of responsibility to protect has to be integrated into our overall normative framework.

Peacekeeping operations continue to make significant contributions to the safety and security of civilians. The Expert Group and the aide-memoire on the protection of civilians have further contributed to systematic and consistent attention to the issue in their mandates. The challenge now is to maximize the impact by addressing the gaps between mandates, interpretations and implementation capacity.

Mission-specific protection strategies need to be developed on a systematic basis. The capacity and resources provided need to be genuinely appropriate to the task of protecting civilians. The provision of information and reports to the Council needs to be enhanced, and missions on the ground need clear and practical guidance on implementing protection mandates. The European Union looks forward to engaging with the Secretariat and Member States, in particular the main troop- and police-contributing countries, on the development of these operational guidelines as part of the next steps in the New Horizon process.

The European Union calls for the implementation of resolutions 1325 (2000), 1612 (2005), 1820 (2008), 1889 (2009) and 1888 (2009), mandating peacekeeping missions and all other relevant actors to take effective measures to protect women and girls, as well as boys and men, from sexual violence in armed conflict. We look forward to the Secretary-General's appointment of a special representative to lead concerted international action against sexual violence.

Humanitarian actors carry out life-saving protection activities in all complex emergencies. However, as highlighted by the Secretary-General, humanitarian access to populations affected by conflict is too often unsafe and impeded. Millions of vulnerable people are deprived of assistance and protection as a result.

The most worrying constraint on access stems from violence against humanitarian staff. There has been an alarmingly sharp rise in attacks affecting United Nations and other humanitarian actors this year. United Nations humanitarian workers are for the first time being targeted for political reasons. The European Union strongly condemns all attacks against humanitarian workers, including against locally recruited personnel. These incidents will not disappear without concerted action. It is critical to broaden the understanding and acceptance of independent, neutral and impartial humanitarian action.

The European Union joins the call by the Secretary-General to seize the opportunity afforded by this anniversary of the protection of civilians to turn words into action. Let me reassure the Security Council of the European Union's continued commitment to and active engagement in enhancing the protection of civilians.

The President: I now call on the representative of Italy.

Mr. Ragaglini (Italy): Mr. President, I wish to thank you for taking the initiative of convening today's high-level debate on this important anniversary and for your delegation's important work in negotiating resolution 1894 (2009) adopted earlier today. Italy was glad to join the list of sponsors. I also wish to express my appreciation to the Secretary-General for providing us with a complete picture of the progress achieved and of ongoing concerns in the protection of civilians in armed conflicts.

Italy fully aligns itself with the statement delivered by the representative of Sweden on behalf of the European Union. I will now touch on some points of particular interest to my country.

Ending sexual violence in situations of armed conflict is a key element of the protection of civilians agenda. The Security Council has shown great

leadership in this regard in the last year and a half, starting with the adoption of landmark resolution 1820 (2008), which stated once and for all that sexual violence, when used as a tactic of war, is a matter of peace and security and therefore the business of the Security Council. Resolution 1888 (2009), adopted in September, is another important step forward, as it provides the Council with effective new tools designed to end impunity and to hold accountable the perpetrators of these heinous crimes. It is now up to the Council to use these tools and to implement these resolutions in full and without delay. In this respect, the Secretary-General's early appointment of a special representative for women, peace and security will provide much-needed leadership, coordination and advocacy in this field.

Turning now to peacekeeping, the protection of civilians by United Nations Blue Helmets requires, in our opinion, three elements. First, it needs guidelines, by which I mean the instructions and principles that should inform peacekeeper actions on the ground when civilian lives are at risk. In this respect, we encourage the Secretariat's efforts to craft a policy over the next few months that is shared by Member States.

Secondly, training should be standardized and based on the aforementioned guidelines. It should address the ability to manage crisis situations that pose a threat to the lives of civilians, particularly women and children. Italy is cooperating with the Secretariat in this area through its Centres of Excellence. In this spirit, it has helped to finance some Police Division projects.

Thirdly, equipment is essential. Guidelines and training should be accompanied by resources that enable peacekeepers to protect civilians effectively and securely.

I would also like to recall Italy's commitment to combating impunity for international crimes. In situations where any civilian population is the target of attacks, the Rome Statute of the International Criminal Court provides the legal basis for holding accountable those responsible for the attacks if a State is unwilling or unable to do so. In this regard, we must reiterate our commitment to ending impunity.

International criminal jurisdiction should thus be increasingly viewed as a complementary instrument in the repression of international crimes. It is the States, by adapting their laws and jurisdictions, that should be the first to respond to serious breaches of law, such as war crimes and crimes against humanity, committed in their territories. At the same time, it is up to States — in collaboration with the International Committee of the Red Cross and other competent institutions on this issue — to raise awareness of the basic principles and the importance of international humanitarian law, especially in armed forces.

Allow me to conclude, on a more general note, by recalling the reaffirmation in resolution 1674 (2006) of the principle of the responsibility to protect, which is a cardinal achievement of the United Nations. I also welcome the reference to that principle made in resolution 1894 (2009), adopted by the Council today. That principle implies that sovereignty brings special responsibilities. Governments must protect their own populations, and the best way for them to do so is to promote human rights, the rule of law and democratic governance.

Only when a Government manifestly fails to do so should the international community intervene. The responsibility to protect should not be perceived in a confrontational manner; it should be seen, instead, as an instrument available to the international community to overcome crises, provided that the conditions referred to in paragraphs 138 and 139 of the 2005 World Summit Outcome Document (General Assembly resolution 60/1) are met. In that context, we welcome the debate that took place in the General Assembly in July on the report of the Secretary-General (A/63/677). We look forward to the follow-up during the current session.

The President: There are still a considerable number of speakers remaining on my list for this meeting. In view of the lateness of the hour, I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.05 p.m.